

Section 1961 of the Senate bill expresses the sense of Congress that the United States should continue to contribute to and work with other countries to enhance the goals and work of the UN Democracy Fund.

The Conference substitute adopts the Senate provision, with an amendment adding an authorization for the UN Democracy Fund. It authorizes \$14,000,000 for a United States contribution to the Fund for each of the Fiscal Years 2008 and 2009, as requested by the President.

*Section 2162. United States Democracy Assistance Programs*

There is no comparable House provision.

Section 1962 of the Senate bill states the sense of Congress that the purpose of the Human Rights and Democracy Fund should be to support innovative programming, media, and materials designed to uphold democratic principles, support and strengthen democratic institutions, promote human rights and the rule of law, and build civil societies in countries around the world. Section 1962 of the Senate bill provides findings reflecting that democracy assistance has many different forms and there is a need for greater clarity on the coordination and delivery mechanisms for U.S. democracy assistance. It also provides that the Secretary of State and the Administrator of the U.S. Agency for International Development (USAID) should develop guidelines, in consultation with the appropriate Committees of Congress, to clarify for U.S. diplomatic and consular missions abroad the need for coordination and the appropriate mix of delivery mechanisms for democracy assistance.

The Conference substitute adopts the Senate provision, with an amendment including minor and technical amendments and adding a sense of Congress regarding mechanisms for delivering assistance. The Conference substitute provides that United States support for democracy is strengthened by using a variety of different instrumentalities, such as the National Endowment for Democracy, the United States Agency for International Development, and the Department of State, and expresses the view that the Human Rights and Democracy Fund (HRDF), established pursuant to the Freedom Investment Act of 2002, should continue to be used for innovative approaches to promoting democracy and human rights. It also addresses the different mechanisms that are used to define the relationship between the U.S. Government and organizations that deliver services or materials to foreign individuals or communities.

The Conference believes that the HRDF should remain a flexible instrument to exploit emerging opportunities while at the same time be managed in a cost-effective way and coordinated at the country-level to complement the mix of other democracy assistance being provided.

The U.S. Government works with a variety of organizations, including non-profit groups such as non-governmental organizations and private and voluntary organizations, and provides them with government funding to carry out U.S. foreign assistance goals. The government also hires for-profit private sector companies to implement foreign assistance programs. The use of such companies has been growing over the last 15 years. In general, as in other areas of government procurement, the use of contracts, cooperative agreements, and grants are the three main acquisition mechanisms through which agreement is reached on appropriate benchmarks for success, the level of U.S. government funding that will be spent, and the specific programs and projects to be undertaken.

In the democracy field, there are a number of U.S. Government entities that manage

programs. The Democracy, Human Rights and Labor Bureau at the State Department oversees a large number of programs. The Coordinator's office for the Independent States of the Former Soviet Union oversees programs carried out through the Freedom Support Act. The Middle East Partnership Initiative, also managed by the State Department, promotes democracy and other development priorities in the Middle East. For its part, USAID has a specialized unit focused on providing democracy and governance assistance worldwide. Because of a constrained operating budget that limits permanent staff, USAID has increasingly relied on contract mechanisms, although it continues to use grants and cooperative agreements. The National Endowment for Democracy also provides extensive assistance worldwide. More recently, a Millennium Challenge Corporation (MCC) threshold program is providing electoral reform assistance in Jordan.

Non-profit organizations sometimes apply for and receive funding from several or all of these U.S. Government entities, most often through grants and cooperative agreements and sometimes through contracts. Private sector companies work almost exclusively through contracts. Both private sector and non-profit organizations bring unique strengths to the effort. Private sector companies have the ability to hire employees with specialized skills to provide technical assistance on a short-notice basis. Non-profit organizations often develop longer-term contacts in the field, country expertise, and have revenue sources other than U.S. Government funding that allows for a more sustained approach to underlying problems. With this multitude of actors, mechanisms, and foreign assistance "spigots," and given the characteristics of such actors, the Conference requests that the Secretary of State and the Administrator of USAID develop appropriate guidelines to assist U.S. missions in their efforts to coordinate democracy assistance in-country and select appropriate mechanisms for its effective implementation.

**TITLE XXII—INTEROPERABLE EMERGENCY COMMUNICATIONS**

*Section 2201. Interoperable Emergency Communications*

There is no comparable House provision.

Section 1481(a) of the Senate bill generally amends Section 3006 of the Deficit Reduction Act of 2005 (Public Law 109-171) (DRA) by deleting statutory language that currently limits funding to systems that either use, or interoperate with systems that use, public safety spectrum in the 700 megahertz band (specifically, 764-776 megahertz and 794-806 megahertz), and inserting new subsections providing Congressional direction with respect to eligible activities under NTIA's administration of the \$1 billion public safety grant program.

New 3006(a) of the DRA establishes the scope of the permissible grants under the program and permits NTIA to allocate up to \$100 million for the establishment of strategic technology reserves that will provide communications capability and equipment for first responders and other emergency personnel in the event of an emergency or a major disaster. In addition to strategic technology reserves, this subsection describes a broad range of topics related to improving communications interoperability that will be eligible for assistance under the grant program including, Statewide or regional planning and coordination, design and engineering support, technical assistance and training, and the acquisition or deployment of interoperable communications equipment, software, or systems.

New 3006(b) of the DRA reiterates the requirement imposed under section 4 of the

Call Home Act of 2006, which, subject to the receipt of qualified applications as determined by the Assistant Secretary, would require that not less than \$1 billion be awarded no later than September 30, 2007.

New 3006(c) of the DRA requires that funding distributions be made among the several States consistent with section 1014(c)(3) of the USA PATRIOT Act (0.75 percent to each State) to ensure a fair distribution of funds. It also requires that the calculation of risk factors be based upon an "all-hazards" approach that recognizes the critical need for effective emergency communications in response not only to terrorist attacks, but also to a variety of natural disasters.

New section 3006(d) of the DRA establishes requirements for grant applicants, including an explanation of how assistance would improve interoperability and a description of how any equipment or system request would be compatible or consistent with certain relevant sections of the Intelligence Reform and Terrorism Prevention Act of 2004 (6 U.S.C. §194(a)(1)).

New section 3006(e) of the DRA directs NTIA to rely on the most current grant guidance issued under the Department of Homeland Security (the Department or DHS) SAFECOM program to promote greater consistency in the criteria used to evaluate interoperability grant applications.

New section 3006(f) of the DRA establishes criteria for grants of equipment, supplies, systems and related communications service related to support for strategic technology reserve initiatives. This section also requires that funding for strategic reserves be divided between block grants to States in support of state reserves and grants in support of Federal reserves at each Federal Emergency Management Agency (FEMA) regional office and in each of the noncontiguous States.

New section 3006(g) of the DRA permits the Assistant Secretary to encourage the development of voluntary consensus standards for interoperable communications systems, but precludes the Assistant Secretary from requiring any such standard.

New section 3006(h) of the DRA permits NTIA to seek assistance from other Federal agencies where appropriate in the administration of the grant program.

New section 3006(i) of the DRA requires the Inspector General of the Department of Commerce annually to assess the management of NTIA's interoperability grant program.

New section 3006(j) of the DRA requires NTIA, in consultation with the DHS and the FCC, to promulgate final program rules for implementation within 90 days of enactment.

New section 3006(k) of the DRA creates a rule of construction clarifying that nothing in this section precludes funding for interim or long-term Internet Protocol-based solutions, notwithstanding compliance with the Project 25 standard.

Section 1481(b) of the Senate bill requires the FCC, in coordination with the Assistant Secretary of Commerce for Communications and Information and the Secretary of DHS, to report on the feasibility of a redundant system for emergency communications no later than one year after enactment.

Section 1481(c) of the Senate bill directs the Assistant Secretary of Commerce for Communications and Information, in consultation with the Secretary of DHS and the Secretary of Health and Human Services, to create a joint advisory committee to examine the communications capabilities and needs of emergency medical care facilities. The joint advisory committee will assess current communications capabilities at emergency care facilities, options to accommodate the growth of communications services used by emergency medical care facilities, and options to better integrate emergency medical care communications systems